

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

JEFFREY MORRIS, TARAS KICK, REBECCA  
SALAWDEH and STACEY ANTALAK, on Behalf  
of Themselves and All Others Similarly Situated,

V.

SUMMONS IN A CIVIL ACTION

CBS BROADCASTING, INC., CBS CONSUMER  
PRODUCTS, PLANET TOYS, INC., TOYS "R" US,  
INC., WALGREEN CO. and HAMMACHER  
SCHLEMMER & CO., INC.,

CASE NUMBER: 08-CV-0592(HB)

TO: (Name and address of Defendant)

CBS CONSUMER PRODUCTS - 51 West 52nd St., 35th Floor, New York, NY 10019

WALGREEN CO. - 200 Wilmot Rd., Deerfield, IL, 60015

HAMMACHER SCHLEMMER & CO., INC., - 147 E. 57th St., New York, NY, 10022

TOYS "R" US, INC. - One Geoffrey Way, Wayne, NJ, 07470

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Joseph P. Guglielmo  
Whatley Drake & Kallas, LLC  
1540 Broadway, 37th Floor  
New York, NY 10036

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAY 28 2008

CLERK

DATE

(By) DEPUTY CLERK

Attorney or Party without Attorney: Joseph P. Guglielmo, Esq. Whatley Drake & Kallas, LLC 1540 Broadway, 37th Floor New York, NY 10036 Telephone No: 212-447-7070 FAX No: 212-447-7077				For Court Use Only	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Jeffrey Morris, et al. Defendant: CBS Broadcasting, Inc., et al.					
<b>AFFIDAVIT OF SERVICE Summons/Complaint</b>		Hearing Date:	Time:	Dept/Div:	Case Number: 08CV0592(HB)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Action; Amended Class Action Complaint; Individual Practices of Judge Harold Baer, Jr.; USDC/SDNY Instructions for Filing an Electronic Case or Appeal; USDC/SDNY Procedures for Electronic Case Filing; USDC/SDNY Guidelines for Electronic Case Filing
3. a. Party served: Toys R Us, Inc.  
 b. Person served: Diane Martin, Person Authorized to Accept Service
4. Address where the party was served: One Geoffrey Way  
 Wayne, NJ 07470
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., May. 30, 2008 (2) at: 1:10PM
7. Person Who Served Papers:
  - a. Michael Melillo, Sr.
  - b. Class Action Research & Litigation Support Services, Inc.  
 P O Box 740  
 Penryn, CA 95663  
 c. (866) 663-9590, FAX (866) 663-4955

*Fee for Service:*

I Declare under penalty of perjury under the laws of the State of New Jersey that the foregoing is true and correct.

6/3/08  
(Date)

*Michael Melillo Sr.*  
(Signature)

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires \_\_\_\_\_  
(Date)

**ROBERT CIFELLI**  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires Oct. 6, 2008

**AFFIDAVIT OF SERVICE**  
 Summons/Complaint

(Notary Public)

6/3/08  
 jogug.103134